

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below under our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

A CRYSTAL OF BACTERIAL CORE RNA POLYMERASE AND METHODS OF USE THEREOF

the Specification of which

- ☐ is attached hereto
☒ was filed on September 15, 1999
as Application Serial No. 09/396,651
and was amended on _____ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any provisional application filed in the United States in accordance with 35 U.S.C. §1.119(e), or any application for patent that has been converted to a Provisional Application within one (1) year of its filing date, or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| <u>APPLICATION</u> <u>NUMBER</u> | <u>COUNTRY</u> | <u>PRIOR FILED APPLICATION(S)</u> <u>(DAY/MONTH/YEAR FILED)</u> | <u>PRIORITY</u> <u>CLAIMED</u> |
|-------------------------------------|----------------|--|-----------------------------------|
|-------------------------------------|----------------|--|-----------------------------------|

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------------|---------------------------------------|--|
| APPLICATION NO. _____ | FILING DATE (DAY/MONTH/YEAR) _____ | STATUS - PATENTED, PENDING, ABANDONED _____ |
|--------------------------|---------------------------------------|--|

We hereby appoint as our attorneys or agents the following persons: Jack Matalon, (Attorney, Registration No. 22,441); Stefan J. Klauber (Attorney, Registration No. 22,604); David A. Jackson (Attorney, Registration No. 26,742); Donald J. Cox, Jr. (Attorney, Registration No. 37,804); Michael D. Davis (Attorney, Registration No. 39,161); Christine E. Dietzel (Agent, Registration No. 37,309); and Michael A. Yamin (Agent, Registration No. 44,414), said attorneys or agents with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to:

DAVID A. JACKSON, ESQ.
KLAUBER & JACKSON
411 HACKENSACK AVENUE
HACKENSACK, NEW JERSEY 07601

Direct all telephone calls to David A. Jackson at (201) 487-5800.

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | |
|------------------------------------|--|
| FULL NAME OF FIRST JOINT INVENTOR: | <u>Seth A. Darst</u> |
| COUNTRY OF CITIZENSHIP: | United States |
| FULL RESIDENCE ADDRESS: | 500 East 63rd Street, Apt. 16J New York, NY 10021 |
| FULL POST OFFICE ADDRESS: | 500 East 63rd Street, Apt. 16J New York, NY 10021 |

SIGNATURE OF INVENTOR _____

DATE _____

FULL NAME OF SECOND JOINT INVENTOR: Gongyi Zhang

COUNTRY OF CITIZENSHIP: People's Republic of China

FULL RESIDENCE ADDRESS: c/o National Jewish Medical & Research
Center
1400 Jackson Street, K520
Denver, CO 80206

FULL POST OFFICE ADDRESS: c/o National Jewish Medical & Research
Center
1400 Jackson Street, K520
Denver, CO 80206

SIGNATURE OF INVENTOR _____

DATE _____

FULL NAME OF THIRD JOINT INVENTOR: Elizabeth Campbell

COUNTRY OF CITIZENSHIP: United States

FULL RESIDENCE ADDRESS: 500 East 63rd Street, Apt. 16J
New York, NY 10021

FULL POST OFFICE ADDRESS: 500 East 63rd Street, Apt. 16J
New York, NY 10021

SIGNATURE OF INVENTOR _____

DATE _____

FULL NAME OF FOURTH JOINT INVENTOR: Leonid Minakin

COUNTRY OF CITIZENSHIP: Russia

FULL RESIDENCE ADDRESS: 190 Frelinghuysen Road
Piscataway, NJ 08854

FULL POST OFFICE ADDRESS: 190 Frelinghuysen Road
Piscataway, NJ 08854

SIGNATURE OF INVENTOR 

DATE 12/01/99

new ADDRESS
K. Severinov

FULL NAME OF FIFTH JOINT INVENTOR: Konstantin Severinov

COUNTRY OF CITIZENSHIP: Russia

FULL RESIDENCE ADDRESS: 114 Bayard Street, #3
New Brunswick, NJ 08903

FULL POST OFFICE ADDRESS: 114 Bayard Street, #3
New Brunswick, NJ 08903

415 VALENTINE
STREET
HIGHLAND PARK
NJ 08904

415 VALENTINE
STREET
HIGHLAND PARK
NJ 08904

SIGNATURE OF INVENTOR K. SEVERINOV

DATE 12/01/99

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A CRYSTAL OF BACTERIAL CORE RNA POLYMERASE AND METHODS OF USE THEREOF

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Please address all correspondence regarding this application to:

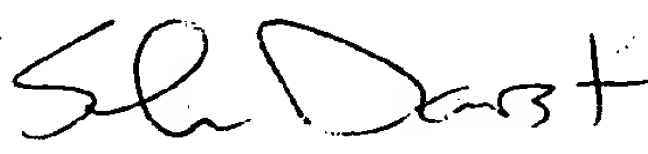
DAVID A. JACKSON, ESQ.
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| | |
|------------------------------------|--|
| FULL NAME OF FIRST JOINT INVENTOR: | <u>Seth A. Darst</u> |
| COUNTRY OF CITIZENSHIP: | United States |
| FULL RESIDENCE ADDRESS: | 500 East 63rd Street, Apt. 16J New York, NY 10021 |
| FULL POST OFFICE ADDRESS: | 500 East 63rd Street, Apt. 16J New York, NY 10021 |

SIGNATURE OF INVENTOR



DATE

11/29/99

FULL NAME OF SECOND JOINT INVENTOR: Gongyi Zhang

COUNTRY OF CITIZENSHIP: People's Republic of China

FULL RESIDENCE ADDRESS: c/o National Jewish Medical & Research
Center
1400 Jackson Street, K520
Denver, CO 80206

FULL POST OFFICE ADDRESS: c/o National Jewish Medical & Research
Center
1400 Jackson Street, K520
Denver, CO 80206

SIGNATURE OF INVENTOR 

DATE

Dec. 1, 1999

FULL NAME OF THIRD JOINT INVENTOR: Elizabeth Campbell

COUNTRY OF CITIZENSHIP: United States

FULL RESIDENCE ADDRESS: 500 East 63rd Street, Apt. 16J
New York, NY 10021

FULL POST OFFICE ADDRESS: 500 East 63rd Street, Apt. 16J
New York, NY 10021

SIGNATURE OF INVENTOR 

DATE

NOV. 29, 1999

FULL NAME OF FOURTH JOINT INVENTOR: Leonid Minakin

COUNTRY OF CITIZENSHIP: Russia

FULL RESIDENCE ADDRESS: 190 Frelinghuysen Road
Piscataway, NJ 08854

FULL POST OFFICE ADDRESS: 190 Frelinghuysen Road
Piscataway, NJ 08854

SIGNATURE OF INVENTOR _____

DATE _____

FULL NAME OF FIFTH JOINT INVENTOR: Konstantin Severinov

COUNTRY OF CITIZENSHIP: Russia

FULL RESIDENCE ADDRESS: 114 Bayard Street, #3
New Brunswick, NJ 08903

FULL POST OFFICE ADDRESS: 114 Bayard Street, #3
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SIGNATURE OF INVENTOR _____

DATE _____

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| FULL NAME OF FIRST JOINT INVENTOR: | <u>Seth A. Darst</u> |
| COUNTRY OF CITIZENSHIP: | United States |
| FULL RESIDENCE ADDRESS: | 500 East 63rd Street, Apt. 16J New York, NY 10021 |
| FULL POST OFFICE ADDRESS: | 500 East 63rd Street, Apt. 16J New York, NY 10021 |

SIGNATURE OF INVENTOR _____

DATE _____

FULL NAME OF SECOND JOINT INVENTOR: Gongyi Zhang

COUNTRY OF CITIZENSHIP: People's Republic of China

FULL RESIDENCE ADDRESS: c/o National Jewish Medical & Research
Center
1400 Jackson Strett, K520
Denver, CO 80206

FULL POST OFFICE ADDRESS: c/o National Jewish Medical & Research
Center
1400 Jackson Strett, K520
Denver, CO 80206

SIGNATURE OF INVENTOR _____

DATE _____

ASSIGNMENT

WHEREAS, WE,

Seth A. Darst, a citizen of United States, residing at
500 East 63rd Street, Apt. 16J
New York, NY 10021;

Gongyi Zhang, a citizen of People's Republic of China, residing at
c/o National Jewish Medical & Research Center
1400 Jackson Street, K520
Denver CO 80206; and

Elizabeth Campbell, a citizen of the United States, residing at
500 East 63rd Street, Apt. 16J
New York, NY 10021;

have invented certain new and useful improvements in

**A CRYSTAL OF BACTERIAL CORE RNA POLYMERASE AND METHODS OF
USE THEREOF**

for which we have filed an Application for Letters Patent in the United States on September 15, 1999, and was accorded U.S. Serial No. 09/396,651; and

WHEREAS, THE ROCKEFELLER UNIVERSITY,
an education corporation organized and existing under
the laws of the State of New York,
with office at 1230 York Avenue, New York, NY 10021-6399,

ASSIGNEE, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application;

NOW, THEREFORE, for other good and valuable consideration, the receipt of which is hereby acknowledged, we the said

SETH A. DARST; GONGYI ZHANG; AND ELIZABETH CAMPBELL

have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, to the said

THE ROCKEFELLER UNIVERSITY,

its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals, and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which

may hereafter be filed for said improvements in any country or countries foreign to the United States, including the right to claim priority under the terms of any appropriate International Convention based upon said application for Letters Patent of the United States, and all Letters Patent which may be granted from said improvements in any country or countries foreign to the United States and extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States, whose duty is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said

THE ROCKEFELLER UNIVERSITY,

its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant that we have full right to convey the interest herein assigned in the manner hereinabove set forth, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said

THE ROCKEFELLER UNIVERSITY,

its successors, legal representatives and assigns, any fact known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisions, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said

THE ROCKEFELLER UNIVERSITY,

its successors, legal representatives and assigns, to obtain and enforce proper Patent Protection for said improvements in the United States.

IN TESTIMONY WHEREOF, we hereunto set our hand and seal the day and year set opposite our signatures.

Date 11/29, 1999

Seth A. Darst L.S.
SETH A. DARST

State of Ny :
County of Ny : ss.

TERESA L. SOLOMON
Notary Public, State of New York
No. 31-4989836
Qualified in New York County
Commission Expires Dec. 16, 2001

Before me this day of 1999, personally appeared Seth A. Darst, to me personally known to be the person who is described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his/her own free will for the purposes therein set forth.

Teresa Solomon
NOTARY PUBLIC

(Affix Seal Here)

Date December 1, 1999

Gongyi Zhang L.S.
GONGYI ZHANG

State of Colorado :
County of Denver : ss.

Before me this day of 1999, personally appeared Gongyi Zhang, to me personally known to be the person who is described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his/her own free will for the purposes therein set forth.

Deborah L. Case
NOTARY PUBLIC
Deborah L. Case

(Affix Seal Here)

MY COMMISSION EXPIRES:
May 3, 2003


Date NOV. 29, 19

 L.S.
ELIZABETH CAMPBELL

State of Ny :
County of Ny : SS.

TERESA L. SOLOMON
Notary Public, State of New York
No. 31-4989836
Qualified in New York County
Commission Expires Dec. 16, 2001

Before me this day of 1999, personally appeared Elizabeth Campbell, to me personally known to be the person who is described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his/her own free will for the purposes therein set forth.


NOTARY PUBLIC

(Affix Seal Here)

ASSIGNMENT

WHEREAS, WE,

Leonid Minakin, a citizen of Russia, residing at
190 Frelinghuysen Road
Piscataway, NJ 08854; and

Konstantin Severinov, a citizen of Russia, residing at
114 Bayard Street
New Brunswick, NJ 08093

have invented certain new and useful improvements in

**A CRYSTAL OF BACTERIAL CORE RNA POLYMERASE AND METHODS OF
USE THEREOF**

for which we have filed an Application for Letters Patent in the United States on September 15, 1999, and was accorded U.S. Serial No. 09/396,651; and

WHEREAS, RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY,
an education corporation organized and existing under
the laws of the State of New York,
with office at 58 Bevier Road, Piscataway, NJ 08854-8010,

ASSIGNEE, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application;

NOW, THEREFORE, for other good and valuable consideration, the receipt of which is hereby acknowledged, we the said

LEONID MINAKIN AND KONSTANTIN SEVERINOV

have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, to the said

RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY,

its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals, and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, including the right to claim priority under the terms of any appropriate International Convention based upon said application for Letters Patent of the United States, and all Letters Patent which may be granted from said improvements in any country or countries foreign to the United States and extensions, renewals and reissues thereof; and we hereby authorize and

request the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States, whose duty is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said

RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY,

its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant that we have full right to convey the interest herein assigned in the manner hereinabove set forth, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said

RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY,

its successors, legal representatives and assigns, any fact known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisions, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said

RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY,

its successors, legal representatives and assigns, to obtain and enforce proper Patent Protection for said improvements in the United States.

IN TESTIMONY WHEREOF, we hereunto set our hand and seal the day and year set opposite our signatures.

Date Dec. 1, 1999

Leonid Minakin
LEONID MINAKIN

L.S.

State of New Jersey
County of Middlesex : ss.

Before me this 1 day of Dec. 1999, personally appeared Leonid Minakin, to me personally known to be the person who is described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his/her own free will for the purposes therein set forth.

Lorel M. Nichol
NOTARY PUBLIC
LOREL M. NICHOL
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 10, 2003

(Affix Seal Here)

Date Dec. 1, 1999

K. Severinov
KONSTANTIN SEVERINOV

L.S.

State of New Jersey
County of Middlesex : ss.

Before me this 1 day of Dec. 1999, personally appeared Konstantin Severinov, to me personally known to be the person who is described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his/her own free will for the purposes therein set forth.

Lorel M. Nichol
NOTARY PUBLIC
LOREL M. NICHOL
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 10, 2003

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